



MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
COMMISSION ON HUMAN RIGHTS  
**CHARGE OF DISCRIMINATION**

Enter Charge Number

☐ FEPA

☐ EEOC

*This form is affected by the Privacy Act of 1974; see Privacy Act Statement before completing this form.*

**Missouri Commission on Human Rights and EEOC**

Name (Indicate Mr., Ms., or Mrs.) Troy Hanenkratt	Date of Birth 07/15/1971	Home Telephone No. (Include Area Code) 816-461-3800
Street Address Contact Counsel	City, State and Zip Code	County JACKSON

**Named below is the Employer, Labor Organization, Employment Agency, Apprenticeship, Committee, State or Local Government Agency who discriminated against me (if more than one list below).**

Name City of Independence Missouri Police Department	No. of Employees/Members 500	Telephone No. (Include Area Code)
Street Address 223 N. Memorial Dr.	City, State, and ZIP Code Independence, Missouri 64050	
Name	No. of Employees/Members	Telephone No. (Include Area Code)
Street Address	City, State, and ZIP Code	

Cause of Discrimination based on (Check appropriate box(es))			Date Discrimination took Place (Month, Day, Year)
<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input checked="" type="checkbox"/> Sex	03/09/2023
<input type="checkbox"/> National Origin	<input type="checkbox"/> Religion	<input checked="" type="checkbox"/> Age	
<input type="checkbox"/> Disability	<input checked="" type="checkbox"/> Retaliation	<input checked="" type="checkbox"/> Other (Specify Association/Harassment)	
<input checked="" type="checkbox"/> Continuing Action			

The Particulars Are (If additional space is needed, attach extra sheet(s)):

I am employed as a Captain with the City of Independence Police Department. I have been an officer with the department for 29 years. Prior to and including the incidents described in this charge, I have had an impeccable service record. I believe I have been discrimination against, retaliated against and harassed.

On 02/15/23, I filed a grievance with the City of Independence which was submitted directly to the interim HR Director Stephen Williams. The grievance was related to the promotion process governing postings for both major and deputy chief of the Independence Missouri Police Dept. In this grievance, I detailed that I believe the promotion process was discriminatory in that the hiring decisions appeared to have been made before and/or without posting the positions and that the hiring decision made decision based on gender and age and not factors related to job performance.

After filing my grievance, on 03/08/23 at approximately 1400 hours I was called in to Chief Adam Dustman's office. Present were the Chief, DC Michelle Sumstad, Major Mike Onka and me. At the beginning of that meeting, I was told by Chief Dustman that he had a deal for me and was going to be offering a "stick and a carrot" and that I would be getting the stick first. He advised that he was transferring me temporarily to the Detention Unit to begin a study and look into the issues in the detention facility related to staffing, scheduling and any other issues that I might discover. The Chief then advised that I could implement any needed changes, approved by the Chief. I was also asked to make a recommendation on whether the unit needed to be overseen by a civilian administrator or a commissioned supervisor. I was told that once this task was completed I would be given my choice of assignments following the Chief's shuffling of staff. The immediate impact of this decision was that I would have certain pay that I received as a Captain in the Investigation division eliminated. So, the temporary assignment results in lost pay.

<input checked="" type="checkbox"/> I want this charge filed with both the EEOC and the Missouri Commission on Human Rights. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.	<b>NOTARY – (When necessary to meet State and Local Requirements)</b> <u>Deborah K. Gates</u> I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.
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I declare under penalty of perjury that the foregoing is true and correct.  X <u>[Signature]</u> Charging Party (Signature) Date	X <u>[Signature]</u> Signature of Complainant <u>April 24, 2023</u> Subscribed and sworn to before me this date (Day, month, and Year)	<b>DEBORAH K. GATES</b> Notary Public-Notary Seal <b>STATE OF MISSOURI</b> Commissioned for Jackson County My Commission Expires: March 3, 2027 ID: #15957410
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Immediately after the meeting, Major Onka took me to his office and suggested I bid back to Investigations after this assignment and that would take me to nearly the end of my career and his. On 03/09/23 at approximately 0730 hours I was in the 3rd floor conference room with Major Onka, Capt. Marriott, Sgt. Rajer, Sgt. Hininger, and Sgt. Pope. While in the conference room, Major Onka told me I got a good deal, thirty to forty-five days in Detention and then I get what I want for the next three years. When I asked him, he advised that he wasn't aware of any issues going on down in detention. Later that same day around 1140 hours, I was in my office with Capt. Marriott. I was showing him the administrative tasks that he would need to complete as he was taking over my position. Major Onka walked into the office and asked, "If I was doing, ok"? I told him I was fine and he said, "I don't believe you but let me know if you need anything". Immediately after this while standing just in front of my desk he said, "you're a smart man you can probably figure out this is because of the complaint."

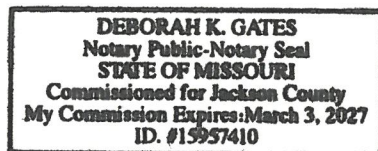
Since filing a grievance I have noticed that Chief Dustman does not acknowledge me and seems to go out of his way to ignore me including refusing to return pleasantries. Additionally, on March 16, 2023, while meeting with Captain Marriott, who has replaced me in the investigations department, I asked if Capt. Marriott could keep me advised if the move to the detention center is temporary. Captain Marriott told me you knew this was going to happen and that the chief had told Captain Marriott that he (the Chief) "wants to know if you're on his side or not."

On March 24, 2023, Chief Dustman during a department wide meeting stated that my re-assignment to the detention center was not a punishment and that the move was temporary. I was told the move was for a limited period of time 30-45 days. It has been over 45 days since I was transferred and I remain assigned to the detention center. I have also learned since taking this assignment that I am re-performing a task that, according to the Major in charge of the detention center had been performed.

I believe that the transfer to the temporary position associated with the detention facility is a change in the terms and conditions of my employment and that the transfer is in retaliation for having filed a grievance and for association with other officers who have also filed grievances and or exercised their rights under the MHRA. The transfer has also resulted in the loss of potential pay in that I will not receive the Captain's stipend pay which I had received as a captain in the investigations division. Finally, I am being harassed by being subjected to loyalty tests and being ignored and frozen out by the commanding officer of the police department.

I ask for all remedies available under the Missouri Human Rights Act, including the right to seek damages and/or injunctive relief and provide restitution to any employees who have been damaged by any discriminatory policy, pattern or practice including harassment for filing a grievance, retaliation and discrimination for associating with other officers who have sought protections through grievance, charge or lawsuit.

This does not include every single fact that may support my claims or which may be uncovered during the course of a thorough and complete investigation into the fact raised by this charge.



☒ I want this charge filed with both the EEOC and the Missouri Commission on Human Rights. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the foregoing is true and correct.

X \_\_\_\_\_  
Charging Party (Signature)

Date

NOTARY – (When necessary to meet State and Local Requirements)

Deborah K. Gates

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

X \_\_\_\_\_  
Signature of Complainant

April 24, 2023

Subscribed and sworn to before me this date (Day, month, and Year)